

FILED

DEC 13 2018

U.S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUISUNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT WILFRED BOEVINGLOH,

Defendant.

No. 1

4:18CR01019 RLW/NAB**MOTION FOR PRETRIAL DETENTION AND HEARING**

Comes now the United States of America, by and through its Attorneys, Jeffrey B. Jensen, United States Attorney for the Eastern District of Missouri, and Kyle T. Bateman, Assistant United States Attorney for said District, and moves the Court to order defendant detained pending trial, and further requests that a detention hearing be held three (3) days from the date of defendant's initial appearance before the United States Magistrate pursuant to Title 18, United States Code, §3141, et seq.

Further, the Government asserts that because of the defendant's present charge, there is a rebuttable presumption that no conditions of bond can ensure the community's safety. The defendant is charged with Receipt of Child Pornography, Title 18, United States Code, Section 2252A(a)(2).

Title 18, U.S.C. Section 3142(e) states that:

Subject to rebuttal by the person, it shall be presumed that no condition or combination of conditions will reasonably assure the appearance of the person as required and the safety of the community if the judicial officer finds that there is probable cause to believe that the person committed an offense...involving a minor victim under section...2252A(a)(2)...

Defendant cannot show that there is any condition or combination of conditions that will assure the safety of the community.

In addition, the government asserts the following:

1. In January 2017, during a Children's Advocacy Center forensic examination, a minor child alleged that the defendant had molested him on multiple occasions approximately three years prior when the child was approximately 11 years old. The victim stated that the defendant sometimes participated in Boy Scouts meetings. The victim stated that, on one occasion while the two were laying on a couch in the defendant's house, the defendant reached down the victim's pants and rubbed the victim's genitals and attempted to take off his own pants.

2. The charged conduct is based on a forensic examination of the defendant's computer that was seized pursuant to a Missouri search warrant that was executed on February 8, 2017. That examination revealed approximately 402 images and 61 video files depicting child pornography. The examination also revealed numerous saved chat logs between the defendant and other individuals discussing collecting and trading child pornography, and the defendant's sexual attraction to young children. The examination further revealed several video files depicting, in part, the defendant and another younger man engaged in sexual activity with the defendant's dog and horse. In addition, the examination revealed several Word documents, apparently authored by the defendant, in which he describes incestuous sexual encounters, including with a four-year-old grandson.

3. Additional investigation has revealed that, in October 2016, the Skype username "nudefarmer2," which matches one of the defendant's usernames as discovered through examination of the defendant's seized computer, uploaded child pornography using Skype servers.

The IP address associated with this upload resolves to Sullivan, Missouri, where the defendant resides.

4. This Court should take all of the aforementioned information into consideration as it shows that the defendant is a danger to the community.

WHEREFORE, the Government respectfully requests that the Court order the defendant to be detained pending trial.

Respectfully submitted,

JEFFREY B. JENSEN
United States Attorney

/s / Kyle T. Bateman
KYLE T. BATEMAN, #996646DC
Assistant United States Attorney
111 South 10th Street, Rm. 20.333
St. Louis, Missouri 63102
314-539-2200